

ASSEMBLY BILL

No. 121

Introduced by Assembly Member Dickinson

January 14, 2013

An act to add Section 25536.3 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 121, as introduced, Dickinson. Counties: disposition of real property.

Existing law authorizes the board of supervisors of a county to sell or lease any real property belonging to the county, as specified, provided that the board complies with certain procedural requirements. Existing law authorizes the board to enter into a lease, concession, or managerial contract involving county owned, leased, or managed property for specified purposes without otherwise complying with the existing procedural requirements.

This bill would additionally authorize the Sacramento County Board of Supervisors to sell or enter into a lease, concession, or managerial contract involving a specified area of county property that the county has acquired from the federal government due to the closure of Mather Air Force Base or McClellan Air Force Base, without complying with the existing procedural requirements referenced above, in accordance with conditions prescribed in the bill.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Sacramento relative to the disposition by the county of the above-described property.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 25536.3 is added to the Government Code, to read:

25536.3. (a) In addition to the authority provided for in Section 25536, and in accordance with subdivision (b), the Sacramento County Board of Supervisors, by a four-fifths vote of the board, may sell, or enter into a lease, concession, or managerial contract involving a specified area of county property that the county has acquired from the federal government due to the closure of Mather Air Force Base or McClellan Air Force Base, without otherwise complying with this article.

(b) The board shall only take an action specified in subdivision (a) if the following conditions are met, or if the board makes a finding in a noticed public hearing that the following conditions were met at the time the property was acquired from the federal government:

(1) Reuse of the property is governed solely by the county, and the property, or any portion thereof, is not included within a redevelopment area.

(2) The county has prepared and adopted a general or specific plan pursuant to Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of Title 7 and has adopted a zoning ordinance for the area, and the proposed use is consistent with that general or specific plan and the zoning ordinance.

(3) The airport land use commission has prepared and adopted a comprehensive airport land use plan for the area pursuant to Article 3.5 (commencing with Section 21670) of Chapter 4 of Part 1 of Division 9 of the Public Utilities Code, and the proposed use is consistent with that plan.

(4) The county has complied with Article 8 (commencing with Section 54220) of Chapter 5 of Part 1 of Division 2 of Title 5, and Section 65402 with regard to the property, as provided in Section 23501.1.

(5) The county has given notice pursuant to Section 6062a and posted the notice in the office of the county clerk. The notice shall specify the date that the board determines that any of the affected property shall be subject to this section, and shall include all of the following:

1 (A) A description of the property proposed to be sold, leased,
2 or subject to a concession or managerial contract pursuant to this
3 section.

4 (B) The proposed terms of the sale, lease, concession, or
5 managerial contract.

6 (C) The location where offers will be accepted and executed.

7 (D) The telephone number and address of the county officer
8 responsible for executing the sale, lease, concession, or managerial
9 contract.

10 SEC. 2. The Legislature finds and declares that a special law
11 is necessary and that a general law cannot be made applicable
12 within the meaning of Section 16 of Article IV of the California
13 Constitution because of the unique needs of the County of
14 Sacramento relative to the disposition of the property acquired by
15 the county from the federal government pursuant to the closure of
16 Mather Air Force Base and McClellan Air Force Base.